(5)

IN THE HONOURABLE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

Misc. Appeal No. 528 Of 2006 Division Bench

Appellant Claimant		Dhiraj Gupta Son of Shri Premchand Gupta, aged about 23 years, Resident of Main Road Kargiroad Kota, District Bilaspur (C.G.).
		Versus
Respondents Non-Applicants	1.	Vishnu Prasad, Son of Shri Kanhaiyalal aged about 24 years, Resident of Udaipuf, P.S. Takhatpur, Present residing at Kotsagarpara, P.S. Kota, District Bilaspur (C.G.).
	2.	Santosh Mishra Son of Shri Shiv Prasad Mishra, aged about 25 years, Resident of Main Road Kargiroad Kota, District Bilaspur (C.G.).
	3.	The New India Insurance Company Ltd. Branch Korba, District Korba (C.G.).
	4.	Mewalal Son of Shri Budhram, aged about 40 years, Resident of Bazarpara, Kargiroad Kota, District Bilaspur (C.G.).
	5.	Smt. Gargy Shrivastava Wife of Shti Manoj Shrivastava, Resident of 27 Kholi, Bilaspur, District Bilaspur (C.G.).
	6.	The New India Insurance Company Limited, Branch Office Bilaspur, District Bilaspur (C.G.).

P.R. No. 3321/06 Presented by Shri Jayram Tulsyan dated 22/12/06

MISC. APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLE ACT, 1988

(23)

HIGH COURT OF CHHATTISGARH; BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 528 OF 2006

Appellant: Dhiraj Gupta

Versus

Respondents: Vishnu Prasad and others

(Arising out of Claim Case No. 17/2004)

27/02/2007

Appellant Shri Dhiraj Gupta appears with Shri M.K. Bhaduri and Shri P.K. Tulsyan, Advocates.

Shri K.L. Daswani, Divisional Manager, the New India Assurance Company Limited with Shri Sudhir Agrawal counsel for respondents No.3 & 6.

None for respondents No. 1, 2, 4 and 5.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondents No.3 & 6 shall pay Rs. 22,000/- (Rupees twenty-two thousand only) to the appellant.
2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No. 1, 2, 4 and 5 stands dismissed.
6) Out of the above amount, Rs.220/- (Rupees two hundred twenty only) shall be paid to counsel for the appellant directly by respondents No.3 & 6 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
Justice Vijay Kumar Shrivastava
High Court of Chhattisgarh
Bilaspur

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Raju